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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,330	02/28/2002	Thomas Joseph McBlain	P21781	5631
7055	7590	01/30/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C.			CHOW, MING	
1950 ROLAND CLARKE PLACE			ART UNIT	
RESTON, VA 20191			PAPER NUMBER	
			2645	

DATE MAILED: 01/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/084,330	MCBLAIN ET AL.	
	Examiner	Art Unit	
	Ming Chow	2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7-8-05, 5-16-05, 2-23-05, 2-4-06, 3-15-04, 8-19-05</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-3, 9-15, 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kemppainen (US: 6671365).

Regarding claims 1, 2, 3, 10, 12, 13, 14, 15, 22, Kemppainen teaches on column 9 line 15-21, a control interface implemented on a service control point where receives and stores call control rules.

Kemppainen teaches on column 9 line 16, incoming connection request (claimed “a switch message is received”). Kemppainen teaches on column 5 line 10-18, detection of event like hang-up, busy, not answered (claimed “a condition based on condition information is met”).

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Kemppainen teaches on column 9 line 17-18, a human user can control of the server (reads on claimed “rule information is configurable by a subscriber”).

Regarding claimed “each rule is comprised of a portion of the action information and a portion of the condition information”, Kemppainen teaches on column 5 line 12-18, the event handler (reads on claimed “rule”) comprises a pair of fields including triggering event (claimed “a portion of the condition information”) and identity of an URL which indicates action information.

Kemppainen teaches on column 5 line 10-18, detection of event like hang-up, busy, not answered (claimed “a call disposition”).

Kemppainen teaches on item 203 Fig. 2, a switch. Kemppainen teaches on column 3 line 27-37, call control functions include call forwarding (claimed “initiates an action”) for services like voice activated dialing (reads on claimed “in response to a call being placed to a dialed number”).

Regarding claims 9, 11, 21, 23, Kemppainen teaches on column 2 line 18-19, call control functions (plural; read on claimed “a plurality of actions”).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 6, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemppainen as applied to claim 2 above, and in view of Okamura (US: 6931115).

Kemppainen teaches call forwarding as an action under the call control. Kemppainen failed to teach “submitting a PIN number”. However, Okamura teaches on column 9 line 8-10, activate the call forwarding by sending a password (claimed “PIN”) by the calling party.

The “PIN” for activating the call forwarding reads on both “allowing” and “disallowing” the call.

It would have been obvious to one skilled at the time the invention was made to modify Kemppainen to have the “submitting a PIN number” as taught by Okamura such that the modified system of Kemppainen would be able to support the system users conveniences of using a password for activating the call forwarding.

3. Claims 5, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemppainen as applied to claim 2 above, and in view of Fuller et al (US: 6453164).

Kemppainen failed to teach “sending a page to a paging device”. However, Fuller et al teach on column 23 line 26-27, sending a page when a call is forwarded.

It would have been obvious to one skilled at the time the invention was made to modify Kemppainen to have the “sending a page to a paging device” as taught by Fuller et al such that the modified system of Kemppainen would be able to support the system users conveniences of sending a page when the call is forwarded.

4. Claims 7, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemppainen as applied to claim 2 above, and in view of Culli et al (US: 6304641).

Kemppainen failed to teach “prepending at least one prefix number to a dialed number sequence”. However, Culli et al teach on Abstract – prefix the old telephone number with a three digit code and forward the call.

It would have been obvious to one skilled at the time the invention was made to modify Kemppainen to have the “prepending at least one prefix number to a dialed number sequence” as taught by Culli et al such that the modified system of Kemppainen would be able to support the system users conveniences of forwarding to a number that requires a prefix.

5. Claims 8, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kemppainen as applied to claim 2 above, and in view of Culli et al, and further in view of Pugh et al (US: 5483582).

Kemppainen failed to teach “a dial-around code”. However, Kemppainen in view of Culli et al (see rejection as stated in claim 7 above) teach prepending a prefix to a dialed number”. Kemppainen in view of Culli et al failed to teach the “prefix” is a “dial-around code”. However,

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Pugh et al teach on column 3 line 59-60, adding an equal access code (claimed “dial-around code”) as a prefix to a telephone number for a selected carrier.

It would have been obvious to one skilled at the time the invention was made to modify Kemppainen in view of Culli et al to have the “a dial-around code” as taught by Pugh et al such that the modified system of Kemppainen in view of Culli et al would be able to support the system users conveniences of selecting a carrier by adding an equal access code.

Conclusion

6. The prior art made of record and not replied upon is considered pertinent to applicant’s disclosure.

- US: 6788939.

7. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or

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proceeding should be directed to the Customer Service whose telephone number is (571) 272-2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

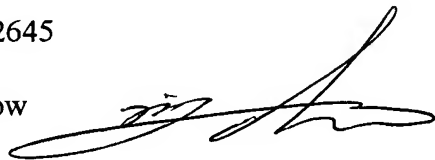
Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

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Ming Chow

A handwritten signature in black ink, appearing to read 'Ming Chow', written over a horizontal line.